

A RESOLUTION

25-303

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

October 3, 2023

To declare the existence of an emergency with respect to the need to exempt the transfer of the real property that is located at 1395 Aspen Street, NW, and known as Karin House, from the District of Columbia to SOME, Inc. from the Tenant Opportunity to Purchase Act of 1980.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Karin House TOPA Exemption Emergency Declaration Resolution of 2023”.

Sec. 2. (a) Karin House is a 40-unit building that has been developed on the former Walter Reed campus to provide affordable housing and supportive services for seniors. Karin House was developed and is operated by SOME, Inc.

(b) The District currently owns the land on which Karin House is located (“Parcel”). The Parcel is subject to the Master Walter Reed Ground Lease, dated November 10, 2016, between the District and TPWR Developer LLC (“Master Developer”).

(c) In turn, Master Developer entered into a Ground Sublease Agreement, dated April 24, 2020, with SOME, Inc. with respect to the Parcel.

(d) Under the Ground Sublease Agreement, the District will transfer fee ownership of the Parcel after one year of the date when Karin House reached 50% occupancy and obtained a permanent certificate of occupancy. The one-year period ended on April 30, 2023, so the transfer can now occur.

(e) Generally, the transfer of fee ownership triggers tenants’ rights under the Tenant Opportunity to Purchase Act of 1980 (“TOPA”), and these rights can be assigned or sold to a third party.

(f) Although there are no known efforts to exercise TOPA rights with respect to the transfer of Karin House, the Council desires to exempt the transfer from TOPA in order to facilitate the efficient transfer of Karin House from the District to SOME, Inc. for use as long-term affordable housing for seniors.

ENROLLED ORIGINAL

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Karin House TOPA Exemption Emergency Act of 2023 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.